

REMARKS

Claims 1-29 are pending in the application. Claims 10-29 stand allowed. The Examiner objects to claim 8. Claims 1-7 and 9 stand rejected. The Examiner's objections and rejections are addressed below in substantially the same order as in the office action.

REJECTIONS UNDER 35 USC § 102

The Examiner rejected claims 1-7 and 9 as anticipated by Schuyf et. al. Shuyf et al. teaches a method and means for controlling kicks during operations in a borehole. (Summary). Applicant respectfully submits that Schuyf et. al. does not teach or suggest a fluid seal during drilling or a fluid buffer as recited by amended claim 1.

The Schuyf et. al. system includes a down-hole packer that is carried by the drill string. (Abstract). When a kick is detected, operations are stopped. Thereafter, steps are taken to activate the packer. (Summary) After the packer is activated, a sufficiently heavy drilling fluid is pumped downhole to help control the detected kick. Once the kick is controlled, the packer is deflated and drilling resumes. (Summary) Thus, Schuyf et al. does not teach or suggest a packer that provides a fluid seal during drilling. In fact, Schuyf et al. configures the packer such that it cannot be inflated during normal operations. (Col. 13, lines 56-59).

Additionally, the "spring bias means 119 and 116" do not appear to operate as a fluid buffer. Applicant presumes that the Examiner intended to refer to spring 126, not 116. In any case, to Applicant's reading these spring elements are used to determine pressures in the wellbore (see Col. 12), not to protect an inflatable element from excessive inflation forces.

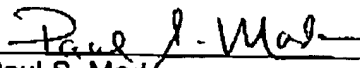
Accordingly, amended claim 1 is allowable over the prior art of record and in condition for allowance. Claim 2 has been cancelled. Claims 3-9 depend from claim 1, a claim believed to be in condition for allowance, and are allowable on at least those grounds.

CONCLUSION

For all the foregoing reasons, Applicant submits that the application is in a condition for allowance. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0429 (564-34755-US).

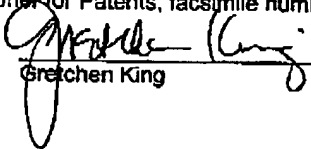
Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that this correspondence, along with any papers referred to as being attached or enclosed, is being transmitted by facsimile to the attention of Commissioner for Patents, facsimile number 703.872.9306 on this 7th day of March, 2005.


Gretchen King